

Re : Amendment and Response to Office Action Mailed August 10, 2005
Appl. No. : 10/681,975
Filed : October 9, 2003

III. REMARKS

Claims 1-9 are currently pending in the application and the Office Action rejected Claims 1-9. By the foregoing amendments, Applicants amended Claims 1-9 and added new Claims 10-20 to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments. Applicants believe that Claims 1-20 are now in condition for allowance.

Please note that Applicants' remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants understanding and discussion of the references, if any, is consistent with the Examiner. Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

Response to the Section 102(e) Rejection

The Office Action rejected Claims 1 and 3-9 under 35 U.S.C. § 102(e) as being anticipated by United States patent no. 6,622,644 issued to Buono. The Office Action stated that the Buono patent teaches structure as claimed including a table comprising a table top (46) having a top surface and a bottom surface, a mounting structure (34, 36) centrally disposed on the bottom surface of the table top, a unitary storage space formed around the mounting structure on the bottom surface of the

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table top, a support assembly at least partially connected to the mounting structure, a frame assembly comprising a first leg connected to the bottom surface of the table top, a support brace (24) having a first end and a second end, the first end being attached to the first leg and the second end being attached to the support assembly, a pair of spaced apart side rails configured to be attached to the mounting structure, a first cross bar disposed transverse to the pair of side rails and attached therebetween.

Applicants respectfully traverse this rejection because the Buono patent does not disclose each and every element of Claims 1 and 3-9. However, in order to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance, Applicants amended Claim 1.

For example, Applicants amended Claim 1 to provide, inter alia, “a mounting structure generally centrally disposed on the bottom surface of the table top, the mounting structure including a first mounting ridge and a second mounting ridge;” and “a support assembly at least partially connected to the mounting structure, the support assembly comprising: a first side rail attached to the first mounting ridge of the mounting structure; a second side rail attached to the second mounting ridge of the mounting structure; and at least one cross bar at least partially disposed between and connected to the first side rail and the second side rail.” Thus, amended Claim 1 positively recites that the mounting structure includes a first mounting ridge and a second mounting ridge; and the support assembly comprises a first side rail attached to the first mounting ridge of the mounting structure, a second side rail attached to the second mounting ridge of the mounting structure, and at least one cross bar at least partially disposed between and connected to the first side rail and the

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second side rail.

The Buono patent, however, does **not** disclose a mounting structure with a first mounting ridge and a second mounting ridge; and a support assembly with a first side rail attached to the first mounting ridge of the mounting structure and a second side rail attached to the second mounting ridge of the mounting ridge. Because the Buono patent does not disclose each and every element of Claim 1, Applicants respectfully request that this rejection of Claim 1 be withdrawn.

Applicants also request that the rejection of dependent Claims 3-9 be withdrawn at least because these claims are dependent upon amended independent Claim 1. Accordingly, Applicants request that this Section 102(e) rejection of Claims 1 and 3-9 be withdrawn.

Response to the Section 103(a) Rejection

The Office Action rejected Claim 2 under 35 U.S.C. § 103(a) as being unpatentable over the Buono patent. The Office Action stated that the Buono patent teaches structure substantially as claimed, as discussed above, including a mounting structure, the only difference being that the shape of the structure is not a C-shaped structure. The Office Action, however, contends that the use of different shaped structures to provide less material are matters of desirability and choice since such structure would perform equally as well and would have been and will within the level of ordinary skill in the art at the time of the invention, thereby providing structure as claimed.

Applicants respectfully traverse this rejection because the Buono patent does not teach, suggest or disclose each and every element of Claim 2. In addition, Applicants respectfully request that this Section 103(a) rejection be withdrawn at least because Claim 2 is dependent upon amended

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independent Claim 8.

New Claims

New Claims 10-20 have been added to more fully define the claimed invention and are believed to be fully distinguished over the prior art of record.

CONCLUSION

In view of the foregoing, Applicant submits that Claims 1 to 20 are allowable over the cited references and are in condition for allowance. Accordingly, Applicant requests that a Notice of Allowance be promptly issued.


If any further impediments to allowance of this application remain, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

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The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: November 10, 2005

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